

ZB# 99-20

Zev Wolf

51-1-64

Helem.

May 24, 1999.

notice to Sentinal 7/6/99.

Public Hearing:

Aug. 9, 1999.

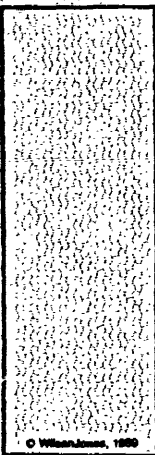
Approved

Refund \$185.00

#99-20- Wolf, Zev (51-1-64)

Area - 51-1-64 f

Wilson Jones - Cambridge - 800-443-0000 - 800-443-0000



DATE 7/8/99 RECEIPT 134116

RECEIVED FROM Drave Wolf

Address 5151 00 DOLLARS \$ 50.00

FOR PA #99-20 100

ACCOUNT			HOW PAID		
BEGINNING BALANCE			CASH		
AMOUNT PAID			CHECK	<input checked="" type="checkbox"/>	
BALANCE DUE			MONEY ORDER		

Down Clerk

BY Dorothy Hansen

APPLICATION FEE (DUE AT TIME OF FILING OF APPLICATION)

APPLICANT: Wolf, Zev

FILE# 99-20

RESIDENTIAL: \$50.00
INTERPRETATION: \$150.00

COMMERCIAL: \$150.00

AREA X

USE

APPLICATION FOR VARIANCE FEE \$ 50.00

*paid ck. # 457.
2/6/99*

ESCROW DEPOSIT FOR CONSULTANT FEES \$ 300.00

*paid ck. # 456
2/6/99*

DISBURSEMENTS:

STENOGRAPHER CHARGES: \$4.50 PER PAGE

PRELIMINARY MEETING-PER PAGE 5/24/99 - 4 \$ 18.00
2ND PRELIMINARY- PER PAGE 8/2/99 - 6 \$ 27.00
3RD PRELIMINARY- PER PAGE \$
PUBLIC HEARING - PER PAGE \$
PUBLIC HEARING (CONT'D) PER PAGE \$
TOTAL \$ 45.00

ATTORNEY'S FEES: \$35.00 PER MEETING

PRELIM. MEETING: 5/24/99 \$ 35.00
2ND PRELIM. 8/9 \$ 35.00
3RD PRELIM. \$
PUBLIC HEARING. \$
PUBLIC HEARING (CONT'D) \$
TOTAL \$ 70.00

MISC. CHARGES:

..... \$
TOTAL \$ 115.00

LESS ESCROW DEPOSIT \$ 300.00
(ADDL. CHARGES DUE) \$
REFUND DUE TO APPLICANT. \$ 185.00

Refund.

[illegible]

In the Matter of the Application of

ZEV WOLF

MEMORANDUM OF
DECISION GRANTING
AREA VARIANCE

#99-20.

WHEREAS, ZEV WOLF, residing at 1861 Little Britain Road, P. O. Box 55, Rock Tavern, N. Y. 12575, has made application before the Zoning Board of Appeals for a variation of Section 48-14A(1)(4) of the Supplemental Yard Regulations to permit the construction of a detached garage which will project closer to road than principal residence, plus an 8 ft. maximum building height variance at the above residence in an R-1 zone; and

WHEREAS, a public hearing was held on the 9th day of August, 1999 before the Zoning Board of Appeals at the Town Hall, New Windsor, New York; and

WHEREAS, the Applicant appeared before the Board for this Application; and

WHEREAS, there were two spectators appearing at the public hearing; and

WHEREAS, one spectator spoke with questions but was neither for nor against the proposal; and

WHEREAS, a decision was made by the Zoning Board of Appeals on the date of the public hearing granting the application; and

WHEREAS, the Zoning Board of Appeals of the Town of New Windsor sets forth the following findings in this matter here memorialized in furtherance of its previously made decision in this matter:

1. The notice of public hearing was duly sent to residents and businesses as prescribed by law and in The Sentinel, also as required by law.

2. The evidence presented by the Applicant showed that:

(a) The property is a residential property consisting of a one-family home located in a neighborhood containing one-family homes.

(b) The house is so constructed and so situated on the property that the proposed garage must be placed on the side of the house.

(c) The proposed garage will be located approximately 800 ft. from the roadway.

- (d) The proposed garage will be screened from the roadway by woods and trees.
- (e) The way the house is constructed on the property, the garage, if permitted, would appear to be on the side of, not in front of the main house.
- (f) The proposed garage would be no higher than and probably lower than the main structure.
- (g) The proposed garage will contain no living space.
- (h) The proposed garage will contain no living space.
- (i) The proposed garage will be serviced by electric service but will not contain any heat or plumbing.
- (j) The space from the proposed garage to the house will be 10 ft. or less and the proposed garage will be connected to the house by a breezeway.
- (k) The proposed garage, if permitted, will not create any water hazards or the building up or collection of any water.
- (l) The garage will be similar to other garages in the area.
- (m) The garage will not be constructed over or on any water or sewer easements, wells or septic system.

WHEREAS, The Zoning Board of Appeals of the Town of New Windsor makes the following conclusions of law here memorialized in furtherance of its previously made decision in this matter:

1. The requested variances will not produce an undesirable change in the character of the neighborhood or create a detriment to nearby properties.
2. There is no other feasible method available to the Applicant which can produce the benefits sought.
3. The variances requested are substantial in relation to the Town regulations but nevertheless are warranted for the reasons listed above.
4. The requested variances will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or zoning district.
5. The difficulty the Applicant faces in conforming to the bulk regulations is self-created but nevertheless should be allowed.

6. The benefit to the Applicant, if the requested variances are granted, outweighs the detriment to the health, safety and welfare of the neighborhood or community.

7. The requested variances are appropriate and are the minimum variances necessary and adequate to allow the Applicant relief from the requirements of the Zoning Local Law and at the same time preserve and protect the character of the neighborhood and the health, safety and welfare of the community.

8. The interests of justice will be served by allowing the granting of the requested area variances.

NOW, THEREFORE, BE IT

RESOLVED, that the Zoning Board of Appeals of the Town of New Windsor GRANT a request for a variation of Section 48-14A(1)(4) of the Supplemental Yard Regulations to permit construction of a detached garage which will project closer to the road than principal residence, plus an 8 ft. maximum building height variance at the above address in an R-1 zone, as sought by the Applicant in accordance with plans filed with the Building Inspector and presented at the public hearing.

BE IT FURTHER

RESOLVED, that the Secretary of the Zoning Board of Appeals of the Town of New Windsor transmit a copy of this decision to the Town Clerk, Town Planning Board and Applicant.

Dated: October 25, 1999.

Chairman

Date, 19.....

TOWN OF NEW WINDSOR

TOWN HALL, 555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553TO Frances Roth DR.
168 N. Drury Lane
Newburgh, N.Y. 12550

DATE			CLAIMED	ALLOWED
8/9/94	Zoning Board Mtg		75 00	
	Misc - 2			
	Fox - 1			
	Rinaldi - 4			
	Windsor Academy - 15			
	Wolf - 6	27.00		
	Kadian - 2			
	Barbera - 3			
	Yannone - 2			
	Clement - 2		166 50	
		37		
			241 50	

PUBLIC HEARING:

WOLF, ZEV

MR. NUGENT: Request for 8 ft. maximum height variance and a variation of Section 48-14A(1)(4) of the Supplemental Yard Regulations for construction of a detached garage which will project closer to the road than principal residence at 1851 Little Britain Road in an R-1 zone.

Mr. and Mrs. Zev Wolf appeared before the board for this proposal.

MR. TORLEY: Is there anyone in the audience besides the applicant? All right, we need you to sign this paper. I'm going to ask your name just for the record so we have it spelled properly.

MS. BARNHART: Also, for the record, I have an affidavit stating that I sent out on July 8, 18 addressed envelopes to each one of the property owners on this list here, adjacent property owners.

MR. REIS: Any responses?

MS. BARNHART: There was one person that came in today and I showed her the plan.

MR. NUGENT: No problem?

MS. BARNHART: No, I didn't think, she's not here tonight, I think she would have come in.

MR. NUGENT: Okay, Mr. Wolf, you can tell us why you're going to do it so everybody can hear? Why does it have to go where it's going?

MR. WOLF: The way the house is structured, I have a door walking into the laundry room through the garage, if I put it on the other side, there's no entrance to the house.

MR. TORLEY: This shows that the garage itself is 500 feet from the road.

MR. WOLF: It's actually 8, but I put 5.

MR. TORLEY: This is virtually or essentially completely invisible from 207, so you can't see it.

MR. KRIEGER: Between the location where you intend to put the garage and the road, what's in between?

MR. WOLF: Woods, trees, that's an 8 acre parcel and I'm all the way up and I have, I would say at least five acres in front of me to 207.

MR. NUGENT: Are you putting the garage on an angle or putting it straight?

MR. WOLF: I'm a little on an angle, but I can put it straight.

MR. NUGENT: That's why he's doing all this is that this corner is closer to the road than the house.

MR. WOLF: The road is here, this is my driveway.

MR. NUGENT: The whole building is going in front.

MR. WOLF: I live in this house, this is 207 is here, from 207 to this outside wall is 800 feet and it's all the way on top of the hill that unless you fly with a helicopter, you don't see it.

MR. KRIEGER: This is at a higher elevation as well?

MR. WOLF: Yes, height and elevation is about 60 feet.

MR. TORLEY: The code says accessory structures in the front yard you need a variance, but this is so far from the road that you know, again, we might want to wish to have the board take a look at that code to see if that can be changed somewhat.

MR. REIS: What's your neighbors on both sides?

MR. WOLF: I have no idea.

MR. REIS: What's close to you, I'm trying to picture where this is.

MR. WOLF: The house next to me is the closest house to me I would say, if I look at the house where Beattie Road is, there's two houses over there about 300, 400 feet, maybe.

MR. REIS: You're close to Beattie Road.

MR. WOLF: From Beattie, I'm 1,000 feet, but between my driveway and Beattie Road, there's a couple houses.

MR. REIS: Are you east or west?

MR. BABCOCK: West.

MR. WOLF: West.

MR. BABCOCK: Actually, it faces towards Beattie Road, I would say.

MR. TORLEY: Although, the front yard would be 207.

MR. WOLF: No, the front yard is Beattie Road.

MR. KRIEGER: Legally speaking, front yard is 207.

MR. BABCOCK: Yes.

MR. KRIEGER: Legally this is necessary because the legal front yard is toward 207, but in actual fact, this would be alongside of the house, not in front of the house the way it's oriented.

MR. BABCOCK: When you drive up to his driveway, the driveway swoops up and turns towards the house and you look at the front of the house and he wants to put his garage on the right-hand side so his house and garage line up so basically, if you looked at his driveway, that's the way it comes up to the front of everything.

MR. NUGENT: It's not a corner lot.

MR. KRIEGER: Okay, the way the building is situated.

MR. NUGENT: He does have the actual front yard is 207.

MR. KRIEGER: But the building would be and the garage would be screened in all directions by woods, would it not?

MR. WOLF: Yeah, of course.

MRS. WOLF: You can't see the house from the road.

MR. KRIEGER: Or from anywhere else.

MR. TORLEY: Might see the smoke.

MR. KRIEGER: Why the request for the height variance?

MR. WOLF: Cause I believe the structure is 23 feet high and code is what, 16?

MR. BABCOCK: Fifteen.

MR. TORLEY: The garage, there's a loft on the garage?

MR. WOLF: No, just putting a storage space on top of the garage.

MR. BABCOCK: Your application states that it's going to be 17 foot high up and then apparently, you talked to Frank and have changed that I see it now it's changed to 23?

MR. WOLF: No, I give him the plan, I didn't change anything, maybe it was 17.

MR. KRIEGER: But the garage, this space is not designed as alternate living space?

MR. WOLF: No, for storage on the top, that's it.

MR. KRIEGER: Not going to have power?

MR. WOLF: Well, going to be electric, no heat.

MR. KRIEGER: Other than a light bulb.

MR. WOLF: Nothing, no heat, no plumbing, no nothing.

MR. NUGENT: No further questions by the board, I'd like to open it up to the public.

MR. KRIEGER: One further question, if this garage were allowed to be as high as it is, how would that compare in height with the main building?

MR. WOLF: It would be lower than the main building.

MR. KRIEGER: Thank you.

MR. NUGENT: Anyone in the audience that would like to speak on this?

MR. FRANK MESSINA: I'd like to see the site plan because I can see his house from this property.

MR. WOLF: Which property is yours?

MR. MESSINA: I'm on the corner of Beattie and 207.

MR. WOLF: The new house?

MRS. MESSINA: Yes, and in the winter, they are, the trees are gone, you can see their house clearly from ours.

MR. MESSINA: What's the space from the garage to the dwelling?

MR. WOLF: Ten feet, not even, it's going to have a breezeway.

MR. NUGENT: Do you have any further comments?

MR. MESSINA: No, I was just interested in knowing if it was behind my house. Okay, thank you.

MR. NUGENT: I'll close the public hearing and open it back up to the board. Any further questions?

MR. KANE: Building the garage you're not going to

create any water hazards, any building up of water or anything like that?

MR. WOLF: No, not at all.

MR. KANE: Other homes in the area have garages similar to yours?

MR. WOLF: Of course.

MR. KRIEGER: And you're not building it over the top of any water or sewer easements?

MR. WOLF: No.

MR. KRIEGER: Well or septic system?

MR. WOLF: Septic is on the side, well is on the side.

MR. KRIEGER: On the side meaning the other side?

MR. WOLF: You know what it is.

MR. TORLEY: We're just doing it for the record. Entertain a motion for this matter? I move that we grant Mr. Zev Wolf his requested building height variances and supplemental yard regulation variances for his house and garage at 1861 Little Britain Road.

MR. KANE: Second the motion.

ROLL CALL

MR. REIS	AYE
MR. TORLEY	AYE
MR. KANE	AYE
MR. NUGENT	AYE

8/9/99

Public Hearing: Wolf, Zev. #99-20

Name:

Address:

no
objection

FRANK MESSINA

651 BEATTIE RD' ROCKY HAVEN

TANYA -

NY 12575

**OFFICE OF THE BUILDING INSPECTOR
TOWN OF NEW WINDSOR
ORANGE COUNTY, NEW YORK**

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

**APPLICANT IS TO PLEASE CONTACT THE ZONING BOARD SECRETARY AT (914)563-4630 TO
MAKE AN APPOINTMENT WITH THE ZONING BOARD OF APPEALS.**

DATE: May 10, 1999

**APPLICANT: Zev Wolf
1861 Little Britain Road
P.O. Box 55
Rock Tavern, New York 12575**

PLEASE TAKE NOTICE THAT YOUR APPLICATION DATE: May 10, 1999

FOR : 24 X 36 Detached Garage

LOCATED AT: 1861 Little Britain Road

ZONE: R-1

DESCRIPTION OF EXISTING SITE: 51-1-64

IS DISAPPROVED ON THE FOLLOWING GROUNDS:

- 1. Proposed detached garage will project closer to road than house.**
- 2. Proposed Garage will exceed maximum permitted height.**


BUILDING INSPECTOR

PERMITTED 15'

PROPOSED OR
AVAILABLE:

VARIANCE
REQUEST:

ZONE: R-1

USE: 48-14-A-1-A
48-14-A-4

MIN. LOT AREA:

MIN LOT WIDTH:

REQ'D.. FRONT YD:

REQ'D. SIDE YD:

REQD. TOTAL SIDE YD:

REQ'D REAR YD:

REQ'D FRONTAGE:

MAX. BLDG. HT.:

23'

8'

FLOOR AREA RATIO:

MIN. LIVABLE AREA:

DEV. COVERAGE:

cc: Z.B.A., APPLICANT, FILE ,W/ ATTACHED MAP

PLEASE ALLOW FIVE TO TEN DAYS TO PROCESS
IMPORTANT
YOU MUST CALL FOR ALL REQUIRED INSPECTIONS OF CONSTRUCTION

Other inspections will be made in most cases but those listed below must be made or Certificate of Occupancy may be withheld. Do not mistake an unscheduled inspection for one of those listed below. Unless an inspection report is left on the job indicating approval of one of these inspections it has not been approved and it is improper to continue beyond that point in the work. Any disapproved work must be re-inspected after correction.

1. When excavating is complete and footing forms are in place (before pouring.)
2. Foundation inspection. Check here for waterproofing and footing drains.
3. Inspect gravel base under concrete floors and underslab plumbing.
4. When framing, rough plumbing, rough electric and before being covered.
5. Insulation.
6. Final inspection for Certificate of Occupancy. Have on hand electrical inspection data and final certified plot plan. Building is to be completed at this time. Well water test required and engineer's certification letter for septic system required.
7. Driveway inspection must meet approval of Town Highway Superintendent. A driveway bond may be required.
8. \$50.00 charge for any site that calls for the inspection twice.
9. Call 24 hours in advance, with permit number, to schedule inspection.
10. There will be no inspections unless yellow permit card is posted.
11. Sewer permits must be obtained along with building permits for new houses.
12. Septic permit must be submitted with engineer's drawing and perc test.
13. Road opening permits must be obtained from Town Clerk's office.
14. All building permits will need a Certificate of Occupancy or a Certificate of Compliance and here is no fee for this.

MAY 10 1999

BUILDING DEPARTMENT

FOR OFFICE USE ONLY:

Building Permit #: _____

**AFFIDAVIT OF OWNERSHIP AND/OR CONTRACTOR'S COMP & LIABILITY INSURANCE CERTIFICATE IS
REQUIRED BEFORE PERMIT WILL BE ISSUED**

PLEASE PRINT CLEARLY - FILL OUT ALL INFORMATION WHICH APPLIES TO YOU

Owner of Premises ZEV WOLF

Address 1861 Little Britain Rd Phone 496-1814(h)

Mailing Address PO Box 55, Rock Tavern NY 12575

Name of Architect ERIC OSBORNE

Address Rte 9-W Stony Point NY Phone 947-4614

Name of Contractor ULTIMATE Land Dev. Inc.

Address 2306 Y St New Windsor NY Phone 567-0050

State whether applicant is owner, lessee, agent, architect, engineer or builder owner/bldr.

If applicant is a corporation, signature of duly authorized officer. J. J. WOLF PRES
(Name and title of corporate officer)

1. On what street is property located? On the SOUTH side of Little Britain Rd (Rte 207)
(N, S, E or W)
and 600' feet from the intersection of BEATTIE Rd

2. Zone or use district in which premises are situated _____ Is property a flood zone? Y _____ N ☒

3. Tax Map Description: Section 51 Block 1 Lot 64

4. State existing use and occupancy of premises and intended use and occupancy of proposed construction.

a. Existing use and occupancy _____ b. Intended use and occupancy detached garage

5. Nature of work (check if applicable) New Bldg ☒ Addition ☐ Alteration ☐ Repair ☐ Removal ☐ Demolition ☐ Other ☐

6. Is this a corner lot? NO

7. Dimensions of entire new construction. Front 36 Rear 36 Depth 24 Height 17 No. of stories 1

8. If dwelling, number of dwelling units: _____ Number of dwelling units on each floor _____

Number of bedrooms _____ Baths _____ Toilets _____ Heating Plant: Gas _____ Oil _____

Electric/Hot Air _____ Hot Water _____ If Garage, number of cars _____

9. If business, commercial or mixed occupancy, specify nature and extent of each type of use _____

10. Estimated cost \$ 8,000.00 Fee _____

RECEIVED

MAY 10 1999

RECEIVED

PERIOD

Chubb Group
American States Ins. Co.
The Hartford Insurance Group

COMPANY A
COMPANY B
COMPANY C
COMPANY D

New Windsor, New York 12553
(914) 563-4618
(914) 563-4693 FAX

914-524-9500
914-524-9700

City Insp Examined _____
Fire Insp Examined _____
Approved _____
Disapproved _____
Permit No. _____

INSURED

303 South Street
Tarrytown, NY 10591-5410

INSTRUCTIONS

- A. This application must be completely filled in by typewriter or in ink and submitted in duplicate to the Building Inspector.
- B. Plot plan showing location of lot and buildings on premises, relationship to adjoining premises or public streets or areas, and giving a detailed description of layout of property must be drawn on the diagram, which is part of this application.
- C. This application must be accompanied by two complete sets of plans showing proposed construction and two complete sets of specifications. Plans and specifications shall describe the nature of the work to be performed, the materials and equipment to be used and installed and details of structural, mechanical and plumbing installations.
- D. The work covered by this application may not be commenced before the issuance of a Building Permit.
- E. Upon approval of this application, the Building Inspector will issue a Building Permit to the applicant together with approved set of plans and specifications. Such permit and approved plans and specifications shall be kept on the premises, available for inspection throughout the progress of the work.
- F. No building shall be occupied or used in whole or in part for any purpose whatever until a Certificate of Occupancy shall have been granted by the Building Inspector.

APPLICATION IS HEREBY MADE to the Building Inspector for the issuance of a Building Permit pursuant to the New York Building Construction Code Ordinances of the Town of New Windsor for the construction of buildings, additions, or alterations, or for removal or demolition or use of property as herein described. The applicant agrees to comply with all applicable laws, ordinances, regulations and certifies that he is the owner or agent of all that certain lot, piece or parcel of land and/or building described in this application and if not the owner, that he has been duly and properly authorized to make this application and to assume responsibility for the owner in connection with this application.

(Signature of Applicant)

(Address of Applicant)

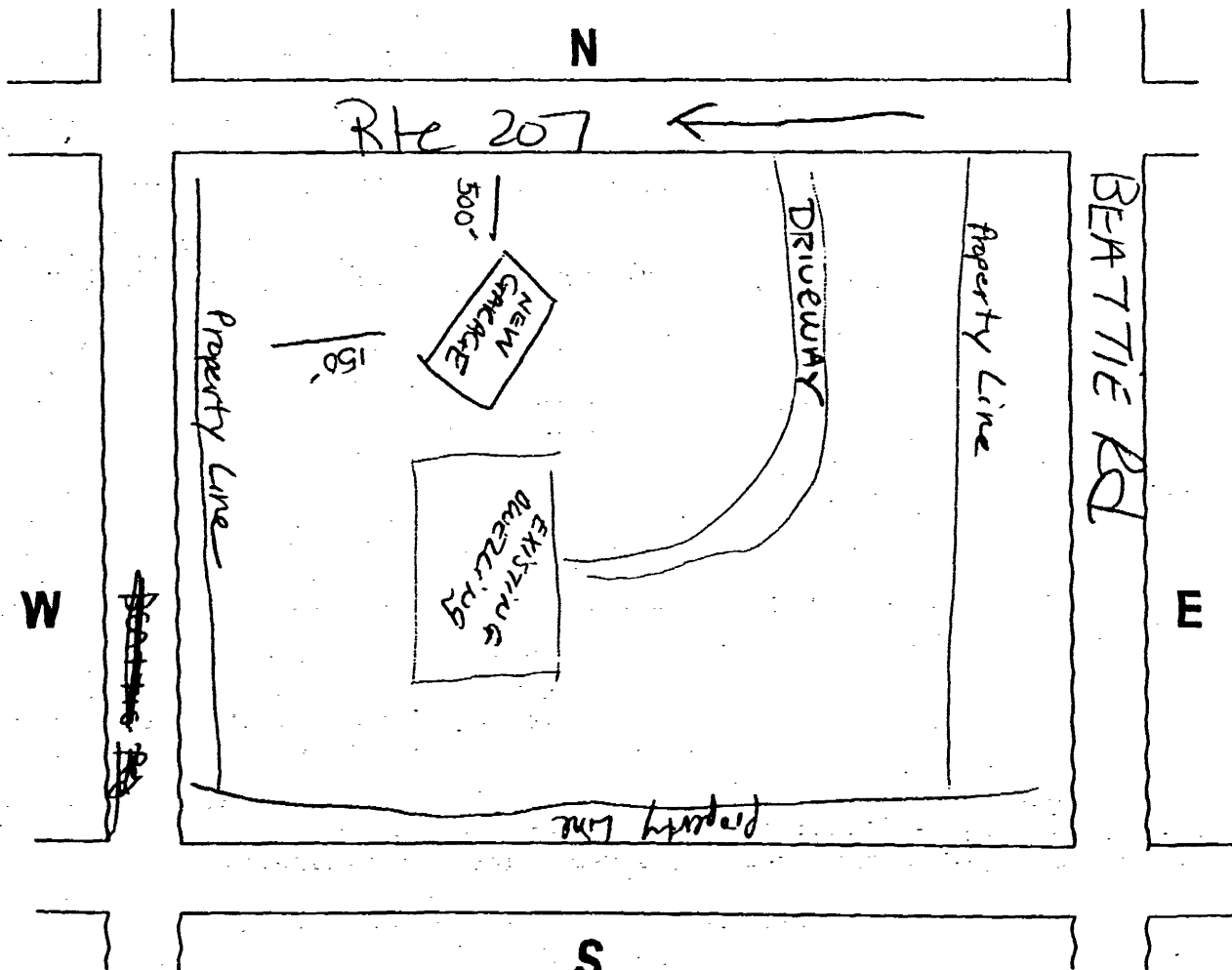
1861 Little Britain Rd, Rock Tavern, NY 12575

(Owner's Signature)

(Owner's Address)

PLOT PLAN

NOTE: Locate all buildings and indicate all set back dimensions. Applicant must indicate the building line or lines clearly and distinctly on the drawings.



[illegible]

WOLF, ZEV

MR. NUGENT: Request for 8 ft. maximum building height and permission to vary Section 48-14A(4) of Supplemental Yard Regulations to construct a three-car garage at 1861 Little Britain Road in an R-1 zone.

Mr. Zev Wolf appeared before the board for this proposal.

MR. WOLF: This is the plans for the garage, 36 x 24, 22 feet high, it's a three car garage detached to the house.

MR. NUGENT: Why the big height you're looking for?

MR. WOLF: Because I was keeping storage in the attic on top of the attic because this whole house is on maybe two foot, three foot basement, so I've got to have a place for storage and as far as distance, I'm about 800 feet away from 207 inside in the woods, I have 8 acres there.

MR. NUGENT: This design will match your house?

MR. WOLF: Yes, the house is right here, this is the front of the house, this is the side of the house, this loft over here is about 36 foot high and the garage is coming here on this side, so the height is not going to affect the house and it's like talking about 600 feet away from 207 from the main road, my driveway's about 800 feet.

MR. NUGENT: Larry, would you like to see this drawing?

MR. TORLEY: Yes.

MR. REIS: What's the variance we need?

MR. BABCOCK: It's projecting closer to the street than the principle building.

MS. BARNHART: 48-14 A(4) of the Supplemental Yard Regulations.

MR. REIS: That's it?

MR. BABCOCK: And building height, his building height he's only allowed 15 feet, wants to go to 23 foot so he needs an eight foot variance for the height and then also from the 48-14 closer to the road than the principle building.

MR. TORLEY: Where is the 15 feet coming from?

MR. BABCOCK: Accessory structure can't be more than 15 foot high.

MR. REIS: May I see it, please?

MR. WOLF: Yes.

MR. KRIEGER: How tall is the house itself?

MR. WOLF: You see the house here, it's a loft, the loft is 36 feet high.

MR. REIS: Reason for your building up the height to be consistent architecturally?

MR. WOLF: Architecturally and storage room. On the back, there's stairs so I can store some stuff because everything there is solid rock, so we couldn't do a basement.

MR. REIS: Thank you. Nice plan.

MR. TORLEY: How far along is the house now?

MR. WOLF: I'm living in the house, the house is done.

MR. TORLEY: That's just for the record.

MR. REIS: And to place it on this side of the house, the rear of the house?

MR. WOLF: Then I'll have to take more trees out if I want to go to the left of the house, I didn't get what was the question exactly was.

MR. REIS: One of reasons is the fact that you are building closer to the road than the house. Is there anyplace else you can put it?

MR. WOLF: No, the way the house is built, it comes out from the side right here, we have a walkway that goes out and comes into the laundry room, see this loft is above the laundry room, and we have a walkway coming out here, that's why we have to come out on this house because I only have exits to the house here, here and in the back.

MR. REIS: Thank you, sir.

MR. WOLF: Only on this side we have an access door.

MR. REIS: You're not going to be creating any kind of problem or runoff with your neighbors? You still have plenty of side yard.

MR. WOLF: I'm on 8 acres, I'm in the middle of 8 acres. I have no neighbors. I'm all wooded from 207 about 600 feet to where the house is, I have a narrow driveway going up, there's all trees, you don't know, there's a house there, if you drive along.

MR. TORLEY: You can only see it in the wintertime.

MR. WOLF: From the back.

MR. REIS: Thank you.

MR. NUGENT: No further questions, I'll accept a motion.

MR. REIS: I make a motion that we set up Mr. Zev Wolf for his requested variances.

MR. TORLEY: Second it.

ROLL CALL

MR. REIS	AYE
MR. TORLEY	AYE
MR. NUGENT	AYE

MS. BARNHART: You just have to fill out the paperwork, get it back to me and we'll schedule a hearing.

MR. KRIEGER: If you would take those with you, those are the criteria on which the State requires that the Zoning Board decide. So, if you would address yourself to those criteria when you make your presentation at the public hearing, that would be helpful.

MR. WOLF: Thank you.

*Pls. publish
Immediately*

PUBLIC NOTICE OF HEARING
ZONING BOARD OF APPEALS
TOWN OF NEW WINDSOR

*Send bill to: Applicant
@ below address*

PLEASE TAKE NOTICE that the Zoning Board of Appeals of the TOWN OF NEW WINDSOR, New York, will hold a Public Hearing pursuant to Section 48-34A of the Zoning Local Law on the following Proposition:

Appeal No. 20.

Request of Zev Wolf

for a VARIANCE of the Zoning Local Law to Permit:

Construction of garage which will exceed maximum bldg. hgt.
& which will project closer to road than principal residence;

being a VARIANCE of Sections 48-12 - Table of Use/Bulk Regs. - Col. I; and
48-14A(1)(4) - Supp. Yard Regs.
for property situated as follows:

1861 Little Britain Rd., (P.O. 55), Rock Tavern, N.Y.,

known and designated as tax map Section 51, Blk. 1, Lot 64.

SAID HEARING will take place on the 9th day of Aug., 1999, at the New Windsor Town Hall, 555 Union Avenue, New Windsor, New York beginning at 7:30 o'clock P.M.

James Nugent.
Chairman

By: Patricia A. Barnhart, Secy.

Diane Wolf
 914-364-6313 914-667-0050
 50-235 623 219 680 1316 199 457
 Town of New Windsor \$ 50⁰⁰/₁₀₀
 Fifty
 THE BANK OF NEW YORK
 353 Windsor Highway
 New Windsor, NY 12553
 #99-2026A
 021902352 6801316199 0457

Diane Wolf
 914-364-6313 914-667-0050
 50-235 623 219 680 1316 199 456
 Town of New Windsor \$ 300⁰⁰/₁₀₀
 Three hundred
 THE BANK OF NEW YORK
 353 Windsor Highway
 New Windsor, NY 12553
 #99-2026A
 021902352 6801316199 0456

TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS

APPLICATION FOR VARIANCE

99-20

Date: 6/2/99

I. ✓ Applicant Information:

- (a) ZEV WOLF 1861 Little Britain Rd, Rock Tavern
(Name, address and phone of Applicant) (Owner)
- (b) same as above
(Name, address and phone of purchaser or lessee)
- (c) JAMES FITZGERALD, Rt 210 STONY POINT NY 942-0200
(Name, address and phone of attorney)
- (d) same as owner
(Name, address and phone of contractor/engineer/architect)

II. Application type:

- ☐ Use Variance ☐ Sign Variance
- ☒ Area Variance ☐ Interpretation

III. ✓ Property Information:

- (a) RES-R-1 1861 Little Britain Rd 51-1-64 7 1/2 ACRES
(Zone) (Address) (S B L) (Lot size)
- (b) What other zones lie within 500 ft.? NONE
- (c) Is a pending sale or lease subject to ZBA approval of this application? NO
- (d) When was property purchased by present owner? 3-98
- (e) Has property been subdivided previously? NO
- (f) Has property been subject of variance previously? NO
If so, when? _____
- (g) Has an Order to Remedy Violation been issued against the property by the Building/Zoning Inspector? NO
- (h) Is there any outside storage at the property now or is any proposed? Describe in detail: NO

IV. Use Variance N/A.

- (a) Use Variance requested from New Windsor Zoning Local Law, Section _____, Table of _____ Regs., Col. _____, to allow: _____
(Describe proposal) _____

(b) The legal standard for a "use" variance is unnecessary hardship. Describe why you feel unnecessary hardship will result unless the use variance is granted. Also set forth any efforts you have made to alleviate the hardship other than this application.

NEED A GARAGE FOR CARS ETC.

(c) Applicant must fill out and file a Short Environmental Assessment Form (SEQR) with this application.

(d) The property in question is located ~~in~~ or within 500 ft. of a County Agricultural District: Yes No ✓.

If the answer is Yes, an agricultural data statement must be submitted along with the application as well as the names of all property owners within the Agricultural District referred to. You may request this list from the Assessor's Office.

✓ V. Area variance:

(a) Area variance requested from New Windsor Zoning Local Law, Section 48-14 A, Table of Supp. Yard Regs. ~~Regs., Col.~~

(1) A + A(4)

48-12-Table of Use/Bulk Regs. - Col. I.

<u>Requirements</u>	<u>Proposed or Available</u>	<u>Variance Request</u>
Min. Lot Area		
Min. Lot Width		
Reqd. Front Yd.		
Reqd. Side Yd.		
Reqd. Rear Yd.		
Reqd. Street Frontage*		
Max. Bldg. Hgt. <u>15 ft.</u>	<u>23 ft.</u>	<u>8 ft.</u>
Min. Floor Area*		
Dev. Coverage* <u> </u> %	<u> </u> %	<u> </u> %
Floor Area Ratio**		
Parking Area		

* Residential Districts only

** No-residential districts only

✓ (b) In making its determination, the ZBA shall take into consideration, among other aspects, the benefit to the applicant if the variance is granted as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant. Also, whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the area variance; (2) whether the benefit sought by the applicant can be achieved by some other method feasible for the applicant to pursue other than an area variance; (3)

whether the requested area variance is substantial; (4) whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district; and (5) whether the alleged difficulty was self-created. Describe why you believe the ZBA should grant your application for an area variance:

There will be no change to the neighborhood, which is residential (R-1). Difficulty was not self-created; no adverse effect on physical or environmental conditions.

(You may attach additional paperwork if more space is needed)

VI. Sign Variance: N/A

(a) Variance requested from New Windsor Zoning Local Law, Section _____, Regs.

	<u>Requirements</u>	<u>Proposed or Available</u>	<u>Variance Request</u>
Sign 1	_____	_____	_____
Sign	_____	_____	_____
Sign 3	_____	_____	_____
Sign	_____	_____	_____
	_____	_____	_____
	_____	_____	_____

(b) Describe in detail the sign(s) for which you seek a variance, and set forth your reasons for requiring extra or over size signs.

(c) What is total area in square feet of all signs on premises including signs on windows, face of building, and free-standing signs?

VII. Interpretation. N/A

(a) Interpretation requested of New Windsor Zoning Local Law, Section _____, Table of _____ Regs., Col. _____.

(b) Describe in detail the proposal before the Board:

✓ VIII. Additional comments:

(a) Describe any conditions or safeguards you offer to ensure that the quality of the zone and neighboring zones is maintained or

upgraded and that the intent and spirit of the New Windsor Zoning is fostered. (Trees, landscaping, curbs, lighting, paving, fencing, screening, sign limitations, utilities, drainage.)
(See plan filed w/ Building Insp.)

IX. Attachments required:

- ☒ Copy of referral from Bldg./Zoning Insp. or Planning Bd.
- ☒ Copy of tax map showing adjacent properties.
- N/A Copy of contract of sale, lease or franchise agreement.
- ☒ Copy of deed and title policy.
- ☒ Copy(ies) of site plan or survey showing the size and location of the lot, the location of all buildings, facilities, utilities, access drives, parking areas, trees, landscaping, fencing, screening, signs, curbs, paving and streets within 200 ft. of the lot in question.
- N/A Copy(ies) of sign(s) with dimensions and location.
- ☒ Two (2) checks, one in the amount of \$ 50.00 and the second check in the amount of \$ 300.00, each payable to the TOWN OF NEW WINDSOR.
- ☒ Photographs of existing premises from several angles.

X. Affidavit.

Date: July 6, 1999.

STATE OF NEW YORK)
) SS.:
 COUNTY OF ORANGE)

The undersigned applicant, being duly sworn, deposes and states that the information, statements and representations contained in this application are true and accurate to the best of his/her knowledge or to the best of his/or information and belief. The applicant further understands and agrees that the Zoning Board of Appeals may take action to rescind any variance granted if the conditions or situation presented herein are materially changed.

X
 (Applicant)

Sworn to before me this

6th day of July, 1999.
Patricia A. Barnhart

XI. ZBA Action:

(a) Public Hearing date: _____

PATRICIA A. BARNHART
 Notary Public, State of New York
 No. 01BA4904434
 Qualified in Orange County
 Commission Expires August 31, 1999

(b) Variance: Granted (___) Denied (___)

(c) Restrictions or conditions: _____

NOTE: A FORMAL DECISION WILL FOLLOW UPON RECEIPT OF THE PUBLIC HEARING MINUTES WHICH WILL BE ADOPTED BY RESOLUTION OF ZONING BOARD OF APPEALS AT A LATER DATE.

(ZBA DISK#7-080991.AP)

*First American Title Insurance Company
of New York*

Title No. 730-O-0530

SCHEDULE A

All that certain plot, piece, or parcel of land situate, lying and being in the Town of New Windsor Orange County, New York bounded and described as follows:

Beginning at a point in the southerly line of State Highway Route # 207, said point being in the division line between lands now or formerly Messina on the east L.4335 P. 200 and lands to be conveyed to Zev and Diane Wolf on the west and running thence:

THE FOLLOWING COURSES AND DISTANCES ALONG LANDS NOW OR FORMERLY MESSINA AND A STONE WALL:

1. S.46-54-29 W. passing through an iron pipe found at 3.0' for a total distance of 93.90' to a point; thence
2. S.50-23-48 W. 70.80' to a point; thence
3. S.45-50-46 W. 95.68' to a point; thence
4. S.48-09-12 W. 228.51' to an iron pipe found in lands now or formerly Messina L.2591 P.263; thence
5. S.48-35-00 W. 209.90' to an iron rod in lands now or formerly Pender L.4509 P.169; thence
6. Along lands now or formerly Pender and a stone wall S.46-33-00 W. 269.00' to an iron pipe found in lands now or formerly Dunn L.4543 P.234; thence
7. Along lands now or formerly Dunn and a stone wall S.49-08-38 W. 17.26' to a point in lands now or formerly Corrigan L.3326 P.312; thence
8. Along lands now or formerly Corrigan and lands now or formerly Kelly L.3189 P.130 and a stone wall N.21-58-08 W. 435.25' to an iron pipe found in lands now or formerly Schlegel L.3438 P.134; thence
9. Along lands now or formerly Schlegel and lands now or formerly Jaeger L.3012 P.115 and a stone wall N.49-11-52 E. passing through an iron pipe found at 655.43' for a total distance of 665.00' to a point in the southerly line of State Highway Route #207; thence
10. Along the southerly line of State Highway Route #207 S.65-43-14 E. 424.77' to the BEGINNING POINT.

CONTAINING 7.52 ACRES

The policy to be issued under this report will insure the title to such buildings and improvements erected on the premises which by law constitute real property.

**FOR
CONVEYANCING
ONLY**

TOGETHER with all the right, title and interest of the party of the first party, of, and to the land lying in the street in front of and adjoining said premises.

**ZONING BOARD OF APPEALS : TOWN OF NEW WINDSOR
COUNTY OF ORANGE : STATE OF NEW YORK**

In the Matter of the Application for Variance of

Zev Wolf,

Applicant.

#99-20

**AFFIDAVIT OF
SERVICE BY
MAIL**

STATE OF NEW YORK)

) SS.:

COUNTY OF ORANGE)

PATRICIA A. BARNHART, being duly sworn, deposes and says:

That I am not a party to the action, am over 18 years of age and reside at 7 Franklin Avenue, Windsor, N. Y. 12553.

That on July 8, 1999, I compared the 18 addressed envelopes containing the Public Hearing Notice pertinent to this case with the certified list provided by the Assessor regarding the above application for a variance and I find that the addresses are identical to the list received. I then mailed the envelopes in a U.S. Depository within the Town of New Windsor.

Patricia A. Barnhart
Patricia A. Barnhart

Sworn to before me this
8th day of July, 1999.

Deborah Green
Notary Public

DEBORAH GREEN
Notary Public, State of New York
Qualified in Orange County
4984065
Commission Expires July 15, 1999



Town of New Windsor

555 Union Avenue
New Windsor, New York 12553
Telephone: (914) 563-4631
Fax: (914) 563-4693

Assessors Office

June 16, 1999

(18)

Zev Wolf
1861 Little Britain Road
Rock Tavern, NY 12575

RE: 51-1-64

Dear Mr. Wolf

According to our records, the attached list of property owners are within five hundred (500) feet of the above referenced property.

The charge for this service is \$35.00, less your deposit of \$25.00. Please remit the balance of \$10.00 to the Town Clerk at the above referenced location.

Sincerely,

S. Cook (ev)

Leslie Cook
Sole Assessor

/jc

cc: Pat Barnhart, ZBA

Airport Director, NYS Dept. of Trans.
Stewart International Airport
1035 First Street
New Windsor, NY 12553

Mihalics Thomas J
1903 Little Britain Road
Rock Tavern, NY 12575

Jaeger Aloisia
1879 Little Britain Road
Rock Tavern, NY 12575

Cassidy John III & Tamara
97 Sharot Street
Carteret, NJ 07008

Messina Frank J III & Messina Joseph
637 Beattie Road
Rock Tavern, NY 12575

McDougall James F
623 Beattie Road
Rock Tavern, NY 12575

Pender John D & Pender Lauren M
635 Beattie Road
Rock Tavern, NY 12575

Dunn Family Irrevocable Trust W/
Michelle E Jaeger Trustee c/o A. Dunn
615 Beattie Road
Rock Tavern, NY 12575

Dalious William R & Carol T
607 Beattie Road
Rock Tavern, NY 12575

Corrigan Peter J & Susan M
23 Wagner Drive
Rock Tavern, NY 12575

Kelly John R & Gladys & Robert
21 Wagner Drive
Rock Tavern, NY 12575

Meola Michael F & Annette
8 Karen Court
Rock Tavern, NY 12575

Contursi Kenneth & Christina
19 Wagner Drive
Rock Tavern, NY 12575

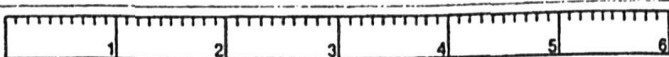
Fedish JR Michael & Kathleen A
17 Wagner Drive
Rock Tavern, NY 12575

Thomas Roger B & Elizabeth D
12 Wagner Drive
Rock Tavern, NY 12575

Swales Lawrence P
14 Wagner Drive
Rock Tavern, NY 12575

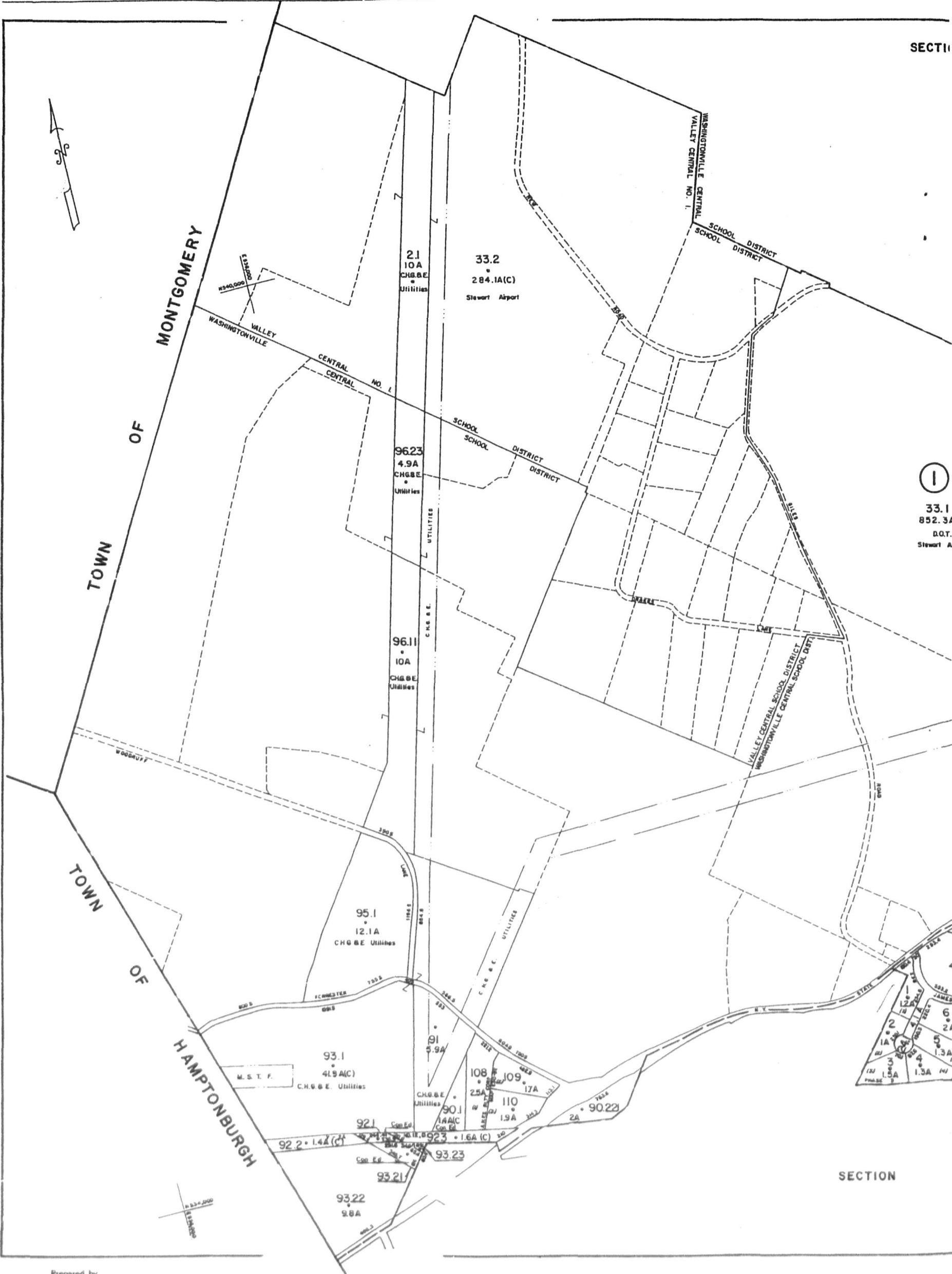
Beck Robert W & Mary F
16 Wagner Drive
Rock Tavern, NY 12575

Rossman Toby
591 Beattie Road
Rock Tavern, NY 12575



SCALE IN 1/10 OF AN INCH

SECTION



1

33.1
852.3A
D.Q.T.
Stewart A.



SECTION

Prepared by
ORANGE CO. TAX MAP DEPT.
MAIN ST., GOSHEN, N. Y. 10924
1989
FOR TAX PURPOSES ONLY
NOT TO BE USED FOR CONVEYANCE

LEGEND

STATE OR COUNTY LINE	FILED PLAN LOT LINE	TAX MAP BLOCK NO.	FILED PLAN BLOCK NO.
CITY TOWN OR VILLAGE	EASEMENT LINE	TAX MAP PARCEL NO.	FILED PLAN LOT NO.
BLOCK & SECTION LINE	MATCH LINE	AREAS (Dead) 11.1A (Calculated) 11.6A(C)	STATE HIGHWAYS
SPECIAL DISTRICT LINE	STREAMS	DIMENSIONS (Dead) or (Calculated) 725	COUNTY HIGHWAYS
PROPERTY LINE	GRID COORDINATE CENTROID		TOWN ROADS

SECTION

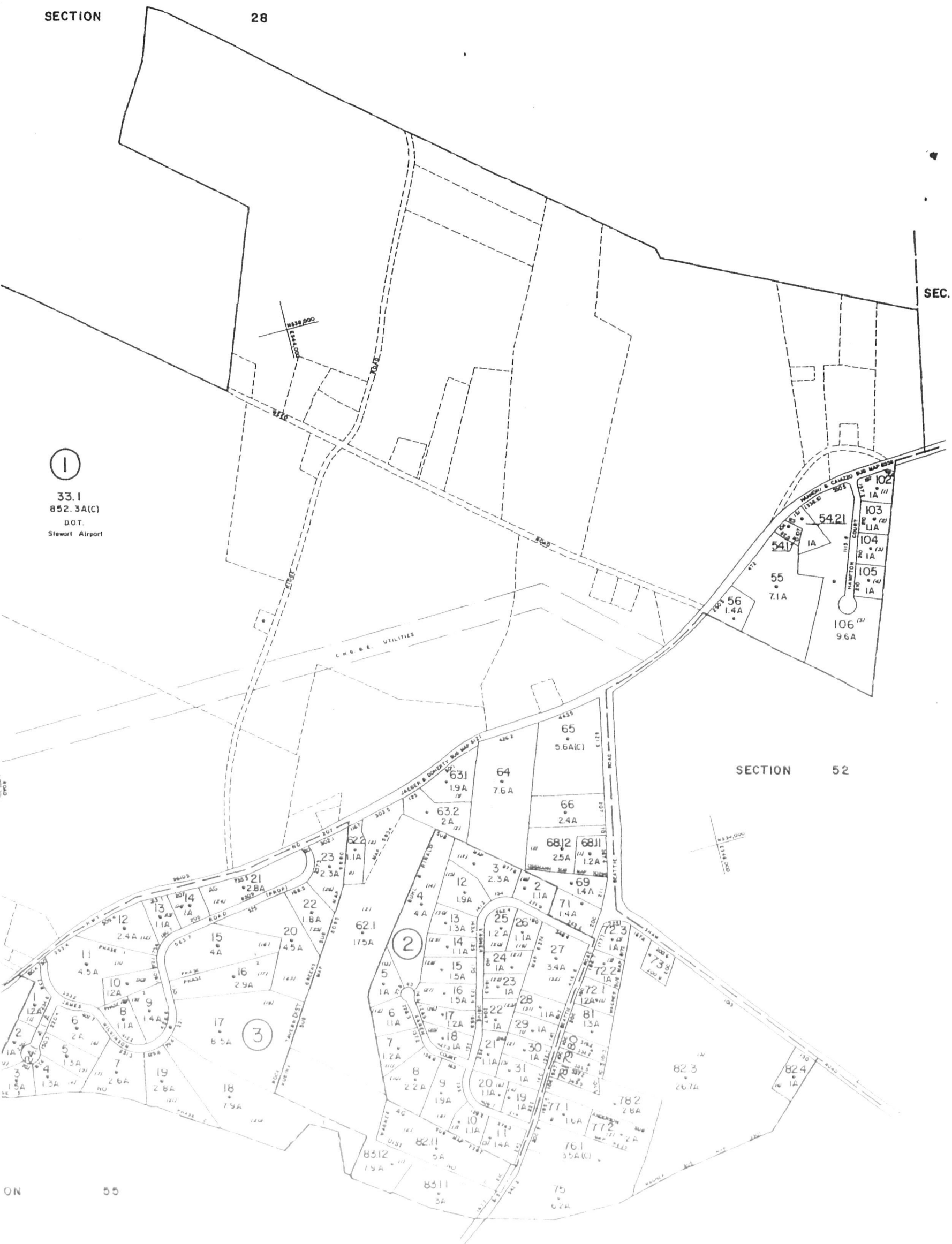
28

SEC. 29

1

33.1
852.3A(C)
DOT.
Stewart Airport

SECTION 52



ON

55

ALL RURAL FIRE PROTECTION DISTRICT

ORANGE COUNTY-NEW YORK

TOWN OF NEW WINDSOR

RED PLAN BLOCK NO.	22
RED PLAN LOT NO.	112
DATE HIGHWAYS	NY STATE HWY NO. 17
COUNTY HIGHWAYS	COUNTY HWY NO. 4
OWN ROADS	TOWN NO. 1

Photo No. B 499,500
Date of Photo 3-1-65

Date of Map 3-24-67
Date of Revision 3-1-68

Section No. 51

Scale 1" = 400'